

ECONOMIC IMPACT ASSESSMENT

(Government Code Section 11346.3(b))

The regulatory change proposal creates specific eligibility criteria for Department of Fish and Game (DFG) hunter education instructors to participate in the Hunter Education Incentive Program (Program). The purpose of this Program is to recruit new instructors and retain certified instructors in order to build a sufficient volunteer corps to address unmet public demand for mandatory classes. These criteria include hunter education instructor (instructor) status, length of service, in-service training requirements, compliance with existing game laws, and payment of an application fee. The package proposes to reward long-term instructor service by providing additional entries in the drawing. For example, instructors must complete three (3) years of service in order to participate in the Program and will earn an additional entry for each additional ten (10) years of instructor service.

The proposal creates a drawing system to equitably distribute the opportunities provided under this program. Eligible instructors will be assigned a random number with those assigned the lowest random numbers receiving the highest rated opportunities. The proposal establishes a system to re-distribute tags in the event any instructor is unable or unwilling to utilize the opportunity provided, and establishes an appeal process regarding procedures and results of the drawing. The proposal also requires the payment of all state tag and seal fees as appropriate.

CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

Current law requires all first time hunters in California be trained in Hunter Education and requires the department to designate instructors to meet the mandate. Fish and Game Code Section 3049 Legislative intent, declarations and findings, states; "It is the intent of the Legislature in enacting this article to ensure the health and safety of its citizens engaged in activities requiring the use of hunting implements. The legislation finds and declares that individuals who engage in hunting should possess an adequate understanding of hunter safety practices, principles of conservation, and sportsmanship. It is also the intent of the Legislature that persons so engaged be mindful of their responsibilities to others, toward wildlife, and toward their natural environment. The department shall take all steps necessary to carry out the provisions of this article."

Fish and Game Code 3051, Course of instruction; Certification of completion, states in part; “(a) The Department shall provide for a course of instruction in hunter education, principles of conservation, and sportsmanship,...” and “(b) The department may designate as a hunter education instructor any person found by it to be competent to give instruction in the courses required in this article. A person so appointed shall give that course of instruction, and, upon completion thereof, shall issue to the person instructed a certificate of completion as provided by the department in hunter safety, principles of conservation, and sportsmanship.”

In California, Hunter Education classes are taught by volunteer instructors. Hunter Education Instructor (HEI) numbers have been declining in California since the 1970's. By 2008, HEI numbers were too low to meet the demand for classes. In efforts to increase instructor numbers to meet the demand for state mandated classes the department developed the Hunter Education Instructor Incentive Program.

The primary purpose of the Hunter Education Instructor Incentive Program is to recruit new instructors and to retain certified instructors. The goal is to build a sufficient volunteer corps to address the unmet public demand for mandatory classes. Based on calls received by the Department of Fish and Game (DFG) and Hunter Education Instructors (HEIs) statewide, 1,000 or more potential hunters are turned away each year due to lack of available hunter education classes. California Hunting license sales continue to decline (from 317,059 in 1999 to 295,687 in 2008). This loss of potential new hunters translates to a loss of revenue in hunting license and tag sales. In California the Hunter Education Program is fully funded by federal grant money. No general fund or other state revenues are spent on Hunter Education.

CREATION OF NEW OR ELIMINATION OF EXISTING BUSINESS WITHIN THE STATE OF CALIFORNIA.

The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Therefore, the Department has not identified any alternatives that will lessen any adverse impact on small businesses.

EXPANSION OF BUSINESS OR ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposal is to establish the Program, define eligibility criteria, and an equitable system for allocating a limited number of hunting opportunities to a defined group of state volunteer hunter education instructors. Given the limited number of opportunities that will be provided and the area over which they are distributed, this proposal is economically neutral to business.

BENEFITS OF THE REGULATIONS

The specific benefits anticipated by the proposed adoption of this regulation are primarily nonmonetary in nature. It is anticipated there will be additional hunter education classes available throughout the state. This will increase California's citizen's understanding of hunter safety practices, principles of conservation, and sportsmanship. The regulation creates specific eligibility criteria for the distribution of volunteer instructor incentives thereby preventing discrimination, and instead assuring fairness and social equity. The regulation also adopts a random draw system open to the public to assure transparency and recruit additional Hunter Education Instructors.

The proposed regulation has been evaluated and not found to be inconsistent or incompatible with existing state or federal regulations. Fish and Game Code Section 3051 (f) authorizes the Department to adopt these proposed regulations. The proposed regulations implement recent amendments to Fish and Game Code section 3051(e).